

## Estate Planning

Proper estate planning is important for any family, but even more so for a family of a child with special needs.

It is extremely important to first seek legal advice from an attorney who has experience in estate planning for children with special needs. The State of Texas has very specific laws that will shape the future for your child, especially if your child continues to receive publicly-funded benefits such as Medicaid.

While DSG cannot offer specific legal advice or recommendations, experts recommend that you establish a will as soon as possible that leaves NO money or property directly to your child. Instead, a Special Needs Trust should be established, and then the trust becomes the beneficiary, not the child.

It is also important that no other relative, however well-meaning, name your child as a beneficiary of any estate.

If your child with special needs receives an inheritance at any age that is outside of a Special Needs Trust, your child could be taken off of public assistance and possibly be responsible for paying the state back for prior expenses.

Some children born with Down syndrome are able to live an independent life as adults. Others, however, are unable to manage without assistance. It is impossible to predict your child's future, but with proper estate planning, you can feel comfortable that your child's future needs will be met.

Each family must choose a qualified attorney with whom they are comfortable working.